

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA
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EASTON HARVEY,
Plaintiff,
vs.
WASHINGTON MUTUAL BANK,
F.A., et al.,
Defendants.

2:10-CV-01807-PMP-PAL

ORDER

Before the Court for consideration are Defendants' fully-briefed Motions to Dismiss, and For an Order Expunging Lis Pendens (Docs. #13-#14) filed on November 5, 2010.

The Court finds that Plaintiff Harvey has failed in his Opposition (Doc. #18) to address any of the substantive arguments asserted by Defendants in support of their motion to dismiss. Moreover, it is clear that Plaintiff's Complaint in this action attempts to re-litigate matters that have previously been considered and rejected by another judge of this Court and are hence barred by the Doctrine of Preclusion, which cannot be cured by amendment of the pleadings. The Court further finds that defendants are entitled to dismissal of Plaintiff's claims for the substantive reasons set forth in Defendants' motion to dismiss.

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IT IS THEREFORE ORDERED that Defendants' Motion to Dismiss (Doc. #13) and Motion for Order Expunging Lis Pendens (Doc. #14) are hereby GRANTED.

DATED: December 6, 2010.

Philip M. Orr

PHILIP M. PRO
United States District Judge